

ORDINANCE NO. 971016-Q

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

3.445 ACRE TRACT OF LAND OUT OF THE ELIAS MCMILLAN SURVEY NO. 110, TRAVIS COUNTY, FROM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "CS-CO" COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 16107 NORTH IH-35 SERVICE ROAD NORTHBOUND, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "SF-2" Single Family Residence district to "CS-CO" Commercial Services district-Conditional Overlay combining district on the property (the "Property") described in File C14-97-0116, as follows:

3.445 acre tract of land out of the Elias McMillan Survey No. 110 in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 16107 North IH-35 Service Road Northbound, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with

all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "CS" Commercial Services base district and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on October 27, 1997.

PASSED AND APPROVED

OCTOBER 16TH

, 1997.

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§
§

Kirk Watson

Kirk Watson
Mayor

APPROVED:

Andrew Martin

Andrew Martin
City Attorney

ATTEST:

James E. Aldridge

James E. Aldridge
City Clerk

EXHIBIT "A"

BEING 3.445 ACRES (150,082 sq. ft.) OF LAND OUT OF THE ELITE HAMILTON SURVEY NO. 110, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS TRACTS 1 AND 2 IN A DEED TO DWIGHT K. McDANIEL RECORDED IN VOLUME 6561, PAGE 451, TRAVIS COUNTY DEED RECORDS, SAID 3.445 ACRES (150,082 sq. ft.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found on the east Right-of-Way line of Old U.S. Hwy. No. 81 at the northwest corner of the said Tract 2, for the northwest corner hereof;

THENCE, leaving said right-of-way, with the north line of the said Tract 2, N30°47'26"E, 377.62 feet to an iron rod found at the northeast corner of the said Tract 2, for the northernmost corner hereof;

THENCE, with the east line of the said Tract 2, S22°14'31"E, 35.38 feet to an iron rod found at the northwest corner of the said Tract 1, for an interior corner hereof;

THENCE, with the north line of the said Tract 1, S85°57'05"E, 405.39 feet to an iron rod found at the Point of Curvature of a curve to the left, being the northeast corner of the said Tract 1, for the northeast corner hereof;

THENCE, with the east line of the said Tract 1, the following two(2) courses and distances:

- (1) 136.33 feet along the arc of said curve to the left, having a radius of 298.63 feet, and a chord which bears S08°56'16"E, 135.15 feet to an iron rod found at the Point of Tangency;
- and (2) S22°00'57"E, 5.04 feet to an iron rod found at the southeast corner of the said Tract 1, for the southeast corner hereof;

THENCE, with the south line of the said Tract 1, S68°05'32"W, 334.42 feet to an iron rod found at the southwest corner of said Tract 1, being the southeast corner of said Tract 2, for an angle point hereof;

THENCE, with the south line of said Tract 2, S68°01'39"W, 300.40 feet to an iron rod found at the southwest corner of said Tract 2, being on the east line of the said Old U.S. Hwy. No. 81, for the southwest corner hereof;

THENCE, with the said east line of Old U.S. Hwy. No. 81, N21°53'00"W, 121.05 feet to the PLACE OF BEGINNING, containing 3.445 acres (150,082 sq. ft.) of land, more or less.

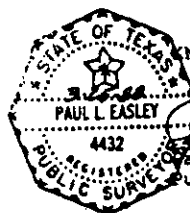
I, Paul L. Easley, a REGISTERED PUBLIC SURVEYOR, do hereby certify that these field notes represent the results of a survey made on the ground under my direction and supervision on the 22nd day of March, 1988, and that they are true and correct to the best of my professional knowledge and belief.

STATE OF TEXAS COUNTY OF TRAVIS
I do hereby certify that this instrument was FILED on the date and at the place hereinafter stated, and was duly RECORDED in the Volume and Page of the DEED RECORDS of Travis County, Texas.

APR 8 1988



TRAVIS COUNTY, TEXAS



NOX-CURRINGTON-EASLEY

Paul L. Easley, Registered Public Surveyor No. 4432

FILED

1988 APR -8 PM 4:02

DAVID H. COOK, JR.
CLERK OF COUNTY CLERK

10643 0578

EXHIBIT "A"

SF-2

COUNTY

COUNTY

COUNTY

SF-2**SF-2****SF-2**

UNDEVELOPED

SF-2

MOBILE HOME SALES

PRE-FAB. HOME SALES

CS

INTERSTATE HIGHWAY 35

CS-CO

STATION

SF-2

SF-2
 ROYSTON LOOP (NOT ON GROUND)
 SALES/RENTAL # 3

STON LOOP (P)
EQUIPMENT SALES/RENTAL #3
02-0078

CS-CO

CONSTRUCTION CO.

CEMENT PLANT

UNDEVELOPED

EXHIBIT "B"

GRAND AVENUE

ZONING

CASE #: C14-97-0116

ADDRESS: 16107 N IH 35 SERVICE

ROAD NB
SUBJECT AREA (acres): 3.445

DATE: 97-09

INTLS: TRC

CITY GRID
REFERENCE
NUMBER

N38

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: C.ALTER

1" = 400'

Austin American-Statesman

PO#: 971016Q
Ad ID#: BEM404400
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

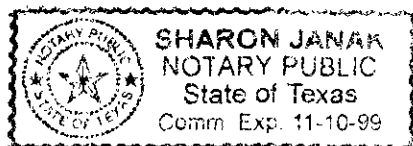
TAYLOR SHARR

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	11/18/97	Last Published:	11/18/97
Times Published:	1	Classification:	9980
Lines:	19	Cost:	\$49 78

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 18th day of Nov 1997



Sharon Janak
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

AN ORDINANCE OF THE CITY OF AUSTIN, TEXAS, AMENDING THE ZONING MAP AND COMPLEMENTARY MAPS OF THE CITY OF AUSTIN, TEXAS, AS FOLLOWS: THE CITY CLERK HAS RECEIVED 3,445 ACRES OF LAND OUT OF THE EL PASO COUNTY SURVEY IN THE TRAVIS COUNTY FROM THE SINGLE-FAMILY RESIDENCE (SFR) DISTRICT TO THE COMMERCIAL SERVICES DISTRICT. A CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 10107 NORTH IH 35 SERVICE ROAD, NORTHBOUND IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.